

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), is being executed by the below listed agencies in connection with the San Diego Police Department Gang/Narcotic Unit (Team 11). The agencies listed below jointly agree to abide by the terms and provisions of this MOU. This MOU recognizes any and all existing MOUs governing joint participation by the below listed agencies. MOUs previously developed between the below listed agencies with local law enforcement agencies remain in effect and unchanged. The agencies are as follow:

1. Federal Bureau of Investigation (FBI)
2. San Diego Police Department  
(Investigations III and Southeastern Division)

### PURPOSE AND MISSION

The purpose of this MOU is to formalize the procedures to be followed by this Task Force. The mission is to reduce the incidence of gang related violent crime and drug trafficking in Southeastern San Diego.

### OBJECTIVES OF TEAM 11

- Target gang members and their associates, who commit violent crimes involving armed robberies, murder, attempted murder, aggravated assault and major crimes of theft and narcotics trafficking to benefit themselves and or the gang, through the acquisition of wealth and power. Emphasis of the group's investigative efforts will be the identification, arrest, prosecution, and deportation of members of violent gangs.
- Target gangs through investigative techniques such as electronic surveillance of communications, surveillance of physical activities, and the use of informants and undercover officers.
- Direct our activities based on information sources that include statistical reports from Crime Analysis, Southeastern Division personnel and community groups.
- Team 11 members will direct any investigative leads, resources or information that would involve a long term project or major investigation to the Violent Crimes Task Force.
- Team 11 members who develop sources of intelligence whose information would assist in an ongoing or new long term investigation will direct that source to the Violent Crime Task Force.

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## GENERAL AGREEMENTS

It is agreed between participants:

### 1. PARTICIPANTS

Team 11 will be comprised of investigators from the San Diego Police Department Gang Unit, Narcotic Section and Southeastern Division personnel. Team 11 members will refer the majority of their cases to the District Attorney's office for prosecution. Federal prosecution can be facilitated through the VIOLENT CRIME TASK FORCE and the Group Coordinator.

### 2. PERSONNEL

Personnel recommended for assignment to the Task Force from the participating agencies will staff the components of this Task Force. If the initiating agency has cause to replace a member, the issue will be discussed with the contributing agency. The supervisor will not have the authority to remove and/or replace personnel without first consulting the contributing agency. The final decision to remove and/or replace a group member of the Task Force will be determined by the executive management of the initiating/contributing agency.

### 3. SUPERVISION OF PERSONNEL

The San Diego Police Department will assign a supervisor to the Task Force. The San Diego Police Department supervisor will be responsible for the overall administration and first level supervision of all personnel on the Task Force. The Police Department supervisor will supervise all of the day to day duties and provide direction relating to the Team 11 mission. The F.B.I. supervisor will maintain overall supervision of FBI agents assigned to the task force. The agents will be directed to participate equally in all operations for the purpose of meeting the mission of the task force.

### 4. INVESTIGATIVE/PROSECUTIVE STRATEGY

Investigative strategy regarding case development and direction will be the responsibility of the San Diego Police Department sergeant. Investigations falling outside the mission and objectives of Team 11 will not be conducted. They will be referred to the appropriate unit or agency. FBI agents may be required to continue working on current investigations that are within the scope and mission of the task force.

Cases, which present violations in both state and Federal law, shall be presented to a Deputy District Attorney and an Assistant U.S. Attorney to determine the appropriate forum in which to prosecute the case.

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**5. LIABILITY**

Each party to this MOU agrees to the extent possible under Federal and state law, to assume financial responsibility for any liabilities created as a result of the acts or omissions of the parties own employees. In addition, the parent agency shall also be liable for any worker's compensation or similar benefits due to its employees.

**6. HOUSING**

Task force personnel will be housed at the Southeastern Division station in an existing building.

**7. EQUIPMENT**

Team 11 members have already been issued all necessary equipment by their own agencies. Money used for Team 11 investigations will be drawn from the initiating agency. These include funds used for informant and investigative expenditures.

**8. ASSET SHARING**

Either the DEA or FBI will process any asset forfeitures. Current guidelines regarding seizures will be followed.

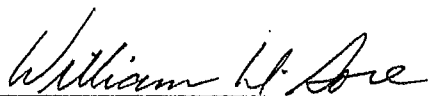
**9. TERM OF AGREEMENT**

This agreement shall become effective commencing on May 14,2001, for an eight month period. Additional agencies requesting inclusion will be recognized by signing this agreement. The Chief of Police and the FBI Special Agent in Charge retain the right to end this agreement with written notice. Upon termination of this understanding, all equipment will be returned to the supplying agencies.

**10. SIGNING AUTHORITY**

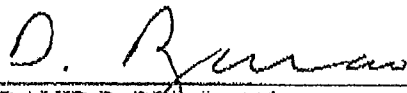
The undersigned represent that they have the authority to execute this agreement on behalf of their respective agencies by signing this agreement. They represent a concurrence with and support of the Violent Crimes Task Force-GG as set forth in this agreement.

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WILLIAM D. GORE  
Special Agent in Charge  
Federal Bureau of Investigations  
San Diego

5/11/01  
Date



DAVID R. BEJARANO  
Chief  
San Diego Police Department

5-3-01  
Date



Ford R. Cole  
Contracting Officer  
Federal Bureau of Investigation

5/8/2001